the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 1st day of September 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1787—Filed, August 18, 1936; 12:44 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 15th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TIDEWATER ET AL. STURTEVANT FARM, FILED ON AUGUST 10, 1936, BY LEIGH J. SESSIONS CORPORATION, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

In that the legend is incomplete on Exhibit A and does not indicate that the tract involved is not that delineated by the red line.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 14th day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 31st day of August 1936, at 3:00 o'clock in the afternoon of that day at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1793—Filed, August 18, 1936; 12:45 p. m.]

Thursday, August 20, 1936 *No. 114*

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48476]

CUSTOMS REGULATIONS AMENDED—GENERAL ORDER MERCHANDISE

ARTICLES 888 AND 989 OF THE CUSTOMS REGULATIONS OF 1931, RELATING TO THE ENTRY OF MERCHANDISE FROM GENERAL ORDER, AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 484, 490, 491, and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1484, 1490, 1491, and 1624), article 989 of the Customs Regulations of 1931 is hereby amended as follows:

The caption is deleted and there is inserted in lieu thereof a caption reading as follows:

Withdrawal from general order for entry.

A small "a" in parenthesis is inserted before the word "merchandise" in line 2.

A new paragraph is added reading as follows:

(b) The withdrawal from general order of less than a single general order lot shall not be permitted.

Article 888, paragraph (b), of the said Regulations is amended by adding at the end thereof the following:

(Art. 989.)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved, August 14, 1936.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 1745—Filed, August 19, 1936; 12:49 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

ECR—B-3—Supplement (b) Issued August 17, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 3—SUPPLEMENT (B)

Soil-Conserving Payment

Section 28, part III, "Soil-Conserving Payment in Connection with Interplanted Crops and Small Grain Crops," of ECR—Bulletin No. 3, as amended by Supplement (a) to ECR—B-3, issued June 30, 1936, is hereby further amended to read as follows:

SECTION 28. *Soil-Conserving Payment in Connection with Interplanted Crops, Small Grain Crops, and Summer Legumes.*—No soil-conserving payment shall be made pursuant to the provisions of section 2 of part II, of ECR—B-1 Revised, with respect to diversion from the general soil-depleting base—

(a) If such diversion is accomplished by changing from summer legumes (in Delaware, Maryland, West Virginia, or Kentucky), used in establishing the general soil-depleting base, to summer legumes harvested for hay and followed by a winter cover crop in 1936;

(b) If such diversion is accomplished by changing from food and feed grains, or from summer legumes (in Delaware, Maryland, West Virginia, or Kentucky), used in establishing the general soil-depleting base, to any of the following soil-conserving crops in 1936:

(1) Summer legumes interplanted with a soil-depleting crop.

(2) Small grains not harvested for grain or hay.

(3) Legumes grown in combination with or immediately following small grains, provided, however, that payment may be made for diversion from the general soil-depleting base to legumes grown in combination with or immediately following wheat, classified in accordance with Supplement (a) to E. C. R.—B-1 Revised, issued May 25, 1936.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1772—Filed, August 18, 1936; 11:55 a. m.]

NER—B-1 Revised—Supplement (f) Issued August 17, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—NORTHEAST REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (F)

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, Part IV of Northeast Region Bulletin No. 1 Revised, as amended, is, in respect to its application to the States of Maine, New Hampshire, and Vermont, amended by inserting at the end of paragraph h of section 1 of such Part IV, and at the end of paragraphs c, d, e, and f, respectively, of section 2 of such Part IV, a reference to the following footnote, which footnote is hereby added as footnote 2 at the end of such Part IV:

[2] For the States of Maine, New Hampshire, and Vermont, millets when seeded not in excess of 36 pounds per acre, or mixtures of millets and sudan grass, or mixtures of millets and soybeans may be substituted for oats, barley, or grain mixtures, as a nurse crop under paragraphs c, d, e, and f of section 2 of this Part IV.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1768—Filed, August 18, 1936; 11:54 a. m.]

SRB 4 (Louisiana)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 4—LOUISIANA

County Average Rates of Soil-Conserving Payments in Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Southern Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Louisiana, but not otherwise, as follows:

SECTION 1. *County Average Rates of Soil-Conserving Payments for Production of Soil-Conserving Crops on Acreage Diverted from the General Soil-Depleting Base.*—In accordance with the provisions of Section 2 (a), Part II, of Southern Region Bulletin No. 1, Revised, and subject to the provisions of said bulletin, and all other bulletins heretofore or hereafter issued, the county average rates of payment per acre to be used in determining payments for each acre of the general soil-depleting base which in 1936 is used for the production of soil-conserving crops shall be as follows for the respective counties in the State of Louisiana:

County—Rate of Payment Per Acre

Acadia, $5.30; Allen, $6.40; Ascension, $5.60; Assumption, $7.40; Avoyelles, $6.00; Beauregard, $6.20; Bienville, $3.90; Bossier, $4.90; Caddo, $5.60; Caleasieu, $5.50; Caldwell, $5.00; Cameron, $5.90; Catahoula, $5.60; Claiborne, $3.60; Concordia, $5.50; De Soto, $3.90; East Baton Rouge, $6.00; East Carroll, $7.20; East Feliciana, $5.60; Evangeline, $5.50; Franklin, $6.50; Grant, $5.30; Iberia, $5.70; Iberville, $5.90; Jackson, $4.50; Jefferson, $6.40; Jefferson Davis, $5.30; Lafayette, $5.40; Lafourche, $6.60; La Salle, $4.80; Lincoln, $4.10; Livingston, $6.00; Madison, $6.20; Morehouse, $6.00; Natchitoches, $5.40; Orleans, $3.50; Ouachita, $5.60; Plaquemines, $7.40; Pointe Coupe, $6.10; Rapides, $6.10; Red River, $4.60; Richland, $6.60 Sabine, $4.30; St. Bernard, $7.20; St. Charles, $7.00; St. Helena, $5.50; St. James, $6.60; St. John the Baptist, $7.00; St. Landry, $5.70; St. Martin, $6.10; St. Mary, $5.40; St. Tammany, $3.00; Tangipahoa, $6.20; Tensas, $6.30; Terrebonne, $5.70; Union, $3.50; Vermilion, $5.50; Vernon, $6.00; Washington, $5.50; Webster, $4.00; West Baton Rouge, $5.20; West Carroll, $6.80; West Feliciana, $5.40; Winn, $4.20.

SECTION 2. *Rates of Payment as Applied to Individual Farms.*—For any individual farm in the foregoing counties the rate of payment for each acre of the general soil-depleting base (not in excess of 15 percent of the general soil-depleting base for any farm) which in 1936 is used for the production of a soil-conserving crop shall be that rate determined by multiplying the county average rate for the county in which the farm is located by the productivity index for the farm established in accordance with the provisions of Section 5, Part I, Southern Region Bulletin No. 3, and dividing the result by 100.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1769—Filed, August 18, 1936; 11:54 a. m.]

SRB 4 (Oklahoma)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 4—OKLAHOMA

County Average Rates of Soil-Conserving Payments in Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Southern Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Oklahoma, but not otherwise, as follows:

SECTION 1. *County Average Rates of Soil-Conserving Payments for Production of Soil-Conserving Crops on Acreage Diverted from the General Soil-Depleting Base.*—In accordance with the provisions of Section 2 (a), part II, of Southern Region Bulletin, No. 1, Revised, and subject to the provisions of said bulletin, and all other bulletins heretofore or hereafter issued, the county average rates of payment per acre to be used in determining payments for each acre of the general soil-depleting base which in 1936 is used for the production of soil-conserving crops shall be as follows for the respective counties in the State of Oklahoma:

County—Rate of Payment Per Acre

Adair, $6.90; Alfalfa, $8.50; Atoka, $5.60; Beaver, $7.00; Beckham, $7.00; Blaine, $8.20; Bryan, $6.80; Caddo, $7.90; Canadian, $8.10; Carter, $7.00; Cherokee, $6.30; Choctaw, $5.70; Cimarron, $9.40; Cleveland, $7.50; Coal, $5.80; Comanche, $7.40; Cotton, $7.20; Craig, $5.80; Creek, $6.60; Custer, $7.20; Delaware, $6.40; Dewey, $7.00; Ellis, $7.30; Garfield, $8.20; Garvin, $8.40; Grady, $8.10; Grant, $8.10; Greer, $8.10; Harmon, $7.60; Harper, $8.80; Haskell, $6.00; Hughes, $6.20; Jackson, $8.20; Jefferson, $6.80; Johnston, $6.80; Kay, $7.40; Kingfisher, $7.80; Kiowa, $8.60; Latimer, $6.30 Le Flore, $6.20; Lincoln, $6.10; Logan, $6.60; Love, $6.40; McLain, $7.90; McCurtain, $5.90; McIntosh, $6.30; Major, $7.80; Marshall, $7.00; Mayes, $6.50; Murray, $7.00; Muskogee, $6.90; Noble, $6.30; Nowata, $6.10; Okfuskee, $6.70; Oklahoma, $7.60; Okmulgee, $6.80; Osage, $7.10; Ottawa, $6.10; Pawnee, $6.60; Payne, $6.20; Pittsburg, $6.00; Pontotoc, $6.90; Pottawatomie, $6.80; Pushmataha, $5.50; Roger Mills, $6.30; Rogers, $6.20; Seminole, $6.30; Sequoyah, $6.10; Stephens, $7.00; Texas, $7.10; Tillman, $8.50; Tulsa, $7.10; Wagoner, $6.20; Washington, $6.70; Washita, $8.50; Woods, $7.80; Woodward, $6.50.

SECTION 2. *Rates of Payment as Applied to Individual Farms.*—For any individual farm in the foregoing counties the rate of payment for each acre of the general soil-depleting base (not in excess of 15 percent of the general

soil-depleting base for any farm) which in 1936 is used for the production of a soil-conserving crop shall be that rate determined by multiplying the county average rate for the county in which the farm is located by the productivity index for the farm established in accordance with the provisions of Section 5, part I, Southern Region Bulletin No. 3, and dividing the result by 100.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1771—Filed, August 18, 1936; 11:55 a. m.]

SRB 4 (Texas)

1936 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN NO. 4—TEXAS

County Average Rates of Soil-Conserving Payments in Connection With the General Soil-Depleting Base

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Southeren Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Texas, but not otherwise, as follows:

SECTION 1. *County Average Rates of Soil-Conserving Payments for Production of Soil-Conserving Crops on Acreage Diverted from the General Soil-Depleting Base.*—In accordance with the provisions of Section 2 (a), Part II, of Southern Region Bulletin No. 1, Revised, and subject to the provisions of said bulletin, and all other bulletins heretofore or hereafter issued, the county average rates of payment per acre to be used in determining payments for each acre of the general soil-depleting base which in 1936 is used for the production of soil-conserving crops shall be as follows for the respective counties in the State of Texas:

County—Rate of Payment Per Acre

Anderson, $5.40; Andrews, $6.00; Angelina, $5.10; Aransas, $7.30; Archer, $6.80; Armstrong, $8.20; Atascosa, $8.20; Austin, $7.80; Bailey, $9.60; Bandera, $6.50; Bastrop, $6.70; Baylor, $7.70; Bee, $7.80; Bell, $9.60; Bexar, $8.70; Blanco, $8.00; Borden, $5.30; Bosque, $9.50; Bowie, $6.60; Brazoria, $7.00; Brazos, $6.30; Brewster, 6.80; Briscoe, $7.50; Brooks, $8.80; Brown, $8.70; Burleson, $6.80; Burnet, $8.10; Caldwell, $8.30; Calhoun, $7.50; Callahan, $7.80; Cameron, $10.40; Camp, $6.00; Carson, $8.50; Cass, $5.40; Castro, $7.90; Chambers, $7.30; Cherokee, $5.50; Childress, $8.00; Clay, $7.00; Cochran, $7.50; Coke, $6.10; Coleman, $9.50; Collin, $9.60; Collingsworth, $9.40; Colorado, $8.10; Comal, $8.20; Comanche, $7.70; Concho, $9.20; Cooke, $9.20; Coryell, $9.60; Cottle, $7.30; Crane, $7.50; Crockett, $7.80; Crosby, $7.70; Culberson, $7.70; Dallam, $6.90; Dallas, $9.30; Dawson, $7.00; Deaf Smith, $7.10; Delta, $7.80; Denton, $9.30; De Witt, $7.60; Dickens, $7.30; Dimmit, 8.20; Donley, $7.90; Duval, $8.00; Eastland, $6.50; Ector, $8.70; Edwards, $6.90; Ellis, $9.10; El Paso, $10.50; Erath, $6.60; Falls, $8.60; Fannin, $8.30; Fayette, $7.50; Fisher, $7.00; Floyd, $8.20; Foard, $8.60; Fort Bend, $8.50; Franklin, $5.60; Freestone, $6.00; Frio, $7.70; Gaines, $6.50; Galveston, $8.40; Garza, $7.70; Gillespie, $8.10; Glasscock, $6.90; Goliad, $7.20; Gonzales, $7.80; Gray, $8.60; Grayson, $8.90; Gregg, $4.80; Grimes, $5.50; Guadalupe, $8.20; Hale, $7.90; Hall, $8.70; Hamilton, $9.60; Hansford, $6.90; Hardeman, $8.10; Hardin, $7.90; Harris, $7.60; Harrison, $5.20; Hartley, $6.60; Haskell, $7.40; Hays, $8.10; Hemphill, $7.00; Henderson, $6.40; Hidalgo, $13.20; Hill, $9.10; Hockley, $8.00; Hood, $6.70; Hopkins, $7.10; Houston, $5.10; Howard, $7.20; Hudspeth, $4.50; Hunt, $7.90; Hutchinson, $7.00; Irion, $8.10; Jack, $6.70; Jackson, $7.80; Jasper, $5.60; Jeff Davis, $7.60; Jefferson, $8.20; Jim Hogg, $8.00; Jim Wells, $9.80; Johnson, $9.00; Jones, $7.20; Karnes, $7.80; Kaufman, $8.10; Kendall, $8.60; Kenedy, $8.80; Kent, $5.40; Kerr, $8.40; Kimble, $7.50; King, $7.40; Kinney, $5.50; Kleberg, $9.60; Knox, $8.80; Lamar, $8.20; Lamb, $10.10; Lampasas, $9.40; La Salle, $8.90; Lavaca, $8.00; Lee, $7.00; Leon, $5.40; Liberty, $7.10; Limestone, $8.00; Lipscomb, $7.70; Live Oak, $8.50; Llano, $8.10; Loving, $6.00; Lubbock, $8.30; Lynn, $7.50; McCulloch, $10.10; McLennan, $9.60; McMullen, $7.60; Madison, $5.20; Marion, $5.10; Martin, $6.70; Mason, $7.40; Matagorda, $7.40; Maverick, $7.90; Medina, $7.80; Menard, $8.20; Midland, $7.40; Milam, $8.30; Mills, $9.30; Mitchell, $7.20; Montague, $6.40; Montgomery, $6.00; Moore, $7.70; Morris, $5.60; Motley, $8.70; Nacogdoches, $4.90; Navarro, $8.00; Newton, $5.50; Nolan, $7.50; Nueces, $17.00; Ochiltree, $7.80; Oldham, $7.20; Orange, $6.80; Palo Pinto, $6.80; Panola, $5.30; Parker, $7.00; Parmer, $7.50; Pecos, $12.40; Polk, $5.50; Potter, $7.30; Presidio, $7.90; Rains, $6.60; Randall, $7.80; Reagan, $6.90; Real, $6.30; Red River, $7.40; Reeves, $9.10; Refugio, $9.90; Roberts, $8.90; Robertson, $6.50; Rockwall, $8.70; Runnels, $10.00; Rusk, $5.30; Sabine, $4.80; San Augustine, $4.80; San Jacinto, $5.60; San Patricio, $13.90; San Saba, $9.30; Schleicher, $7.80; Scurry, $5.00; Shackelford, $7.20; Shelby, $4.90; Sherman, $7.10; Smith, $5.40; Somervell, $6.90; Starr, $8.10; Stephens, $7.10; Sterling, $7.90; Stonewall, $5.80; Sutton, $7.20; Swisher, $7.80; Tarrant, $9.20; Taylor, $7.20; Terrell, $6.70; Terry, $8.60; Throckmorton, $8.20; Titus, $6.20; Tom Green, $9.20; Travis, $8.70; Trinity, $5.10; Tyler, $5.70; Upshur, $5.50; Upton, $7.40; Uvalde, $8.10; Val Verde, $9.50; Van Zandt, $6.50; Victoria, $7.70; Walker, $5.80; Waller, $7.00; Ward, $9.10; Washington, $7.40; Webb, $10.20; Wharton, $8.50; Wheeler, $7.20; Wichita, $8.30; Wilbarger, $9.20; Willacy, $11.30; Williamson, $9.60; Wilson, $7.90; Winkler, $6.00; Wise, $7.20; Wood, $5.60; Yoakum, $7.80; Young, $7.70; Zapata, $7.70; Zavalla, $7.30.

SECTION 2. *Rates of Payment as Applied to Individual Farms.*—For any individual farm in the foregoing counties the rate of payment for each acre of the general soil-depleting base (not in excess of 15 percent of the general soil-depleting base for any farm) which in 1936 is used for the production of a soil-conserving crop shall be that rate determined by multiplying the county average rate for the county in which the farm is located by the productivity index for the farm established in accordance with the provisions of Section 5, Part I, Southern Region Bulletin No. 3, and dividing the result by 100.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1770—Filed, August 18, 1936; 11:54 a. m.]

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 1, REVISED, SUPPLEMENT (E)

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, as amended by Supplements (a), (b), (c), and (d), is hereby further amended, and said Supplement (d) is hereby revised and superseded, by this Supplement (e), as follows:

SECTION 1. Land may be used after July 1, 1936, for the production of Emergency Forage Crops (such as Sudan grasses, spring grains, sorghums, or millets) when such crops are cut for hay or pastured, without such uses being regarded as in any way affecting the prior classification of such acreage.

SECTION 2. Land devoted to the crops specified in Section 2 (a), (b), (c), or (d), Part IV of Bulletin No. 1, Revised, with a nurse crop as specified in said subsections, when such nurse crop is cut for hay, shall be regarded as used for the production of a soil-conserving crop within the meaning of Section 2, Part IV of Bulletin No. 1, Revised, provided a good stand of such grasses or legumes is attained.

SECTION 3. In counties set forth below which are designated as "Emergency Drought Counties", and in such other counties as may hereafter be so designated by the Director of the Western Division, upon written request on a form to be prescribed by the Secretary, signed by all persons entitled to share in payments to be made with respect to the farm, and filed in the office of the county committee, the provisions of this Section 3 shall apply to said farm:

(a) Land devoted to the crops specified in Section 1, Part IV of Bulletin No. 1, Revised, when such crops, except corn, sugar beets, or flax, are harvested for hay or pastured, shall be regarded as devoted to neutral uses within the meaning of Section 3, Part IV of Bulletin No. 1, Revised, and

(b) Land devoted to sugar beets or flax in excess of the respective sugar beet or flax soil-depleting bases, when such crops are harvested for hay or pastured, shall be regarded as devoted to neutral uses within the meaning of Section 3, Part IV of Bulletin No. 1, Revised, and

(c) Land devoted to the crops specified in Section 2 (a), (b), (c), or (d), Part IV of Bulletin No. 1, Revised, with a nurse crop as specified in said subsections, when a good stand of such grasses or legumes is not attained and such nurse crop is cut

for hay, shall be regarded as devoted to a soil-conserving crop within the meaning of Section 2, Part IV of Bulletin No. 1, Revised.

Provided, however, that the soil-building allowance for such farm shall not exceed an amount equal to $1.00 multiplied by a number of acres equal to 15 percent of the total soil-depleting base for such farm or $10.00, whichever amount is the larger.

The following counties are hereby designated as emergency drought counties:

Montana.—Hill, Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Chouteau, Judith Basin, Fergus, Petroleum, Garfield, McCone, Richland, Dawson, Prairie, Wibaux, Golden Valley, Musselshell, Stillwater, Yellowstone, Treasure, Rosebud, Custer, Fallon, Carbon, Big Horn, Powder River, Carter.

North Dakota.—Divide, Burke, Renville, Bottineau, Rolette, Towner, Williams, Mountrail, Ward, McHenry, Pierce, Benson, McKenzie, Dunn, Mercer, Oliver, McLean, Sheridan, Wells, Eddy, Foster, Golden Valley, Griggs, Barnes, LaMoure, Dickey, Ransom, Sargent, Billings, Stark, Morton, Burleigh, Kidder, Stutsman, Slope, Hettinger, Bowman, Adams, Grant, Sioux, Emmons, Logan, McIntosh.

Wyoming.—Campbell, Converse, Crook, Goshen, Johnson, Natrona, Niobrara, Platte, Sheridan, Weston, Hot Springs.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1774—Filed, August 18, 1936; 11:56 a. m.]

WR—B-2, California-1, Revised—Supplement (a)
Issued August 17, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

BULLETIN NO. 2, CALIFORNIA-1, REVISED—SUPPLEMENT (A)

Soil-Building Practices—California

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 2—California-1, Revised, is hereby amended by this Supplement (a) as follows:

SECTION 1. *Soil-Building Practices and Rates of Payment, Subsection (F) (2), Protected Summer Fallow,* of Bulletin No. 2, California-1, Revised, is hereby amended to read as follows:

Practices—Rate of Payment per Acre—Conditions

Approved Fallow, embodying seasonal cultivation and subsequent cultivation to prevent vegetative growth: $0.50, when carried out in 1936 on *crop land* in accordance with specifications issued by the Director of the Western Division, provided that no soil-depleting crop is grown on the acreage in 1936.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 17th day of August 1936.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1773—Filed, August 18, 1936; 11:55 a. m.]

Bureau of Agricultural Economics.

AMENDMENT TO THE STANDARDS FOR BROWN RICE

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled "An Act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes" approved June 4, 1936 (Public, No. 637, 74th Congress), I, H. A. Wallace, Secretary of Agriculture, do hereby make, prescribe, publish, and give public notice of the following amendment to the standards for brown rice, as heretofore promulgated, to become effective August 20, 1936, and to continue in force and effect as long as Congress shall provide the necessary authority therefor, unless amended or superseded by standards hereafter prescribed and promulgated under such authority, said amendment to be effective immediately.

Strike out the paragraph entitled "Percentage of Moisture" and insert in lieu thereof the following:

Percentage of Moisture.—Percentage of moisture shall be that ascertained by the air oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Bureau of Agricultural Economics of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results in the determination of moisture.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, this 19th day of August 1936.

[SEAL] H. A. WALLACE, *Secretary.*

[F. R. Doc. 1815—Filed, August 19, 1936; 11:59 a. m.]

AMENDMENT TO THE STANDARDS FOR MILLED RICE

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes" approved June 4, 1936 (Public, No. 637, 74th Congress), I, H. A. Wallace, Secretary of Agriculture, do hereby make, prescribe, publish, and give public notice of the following amendment to the standards for milled rice, as heretofore promulgated, to become effective August 20, 1936, and to continue in force and effect as long as Congress shall provide the necessary authority therefor, unless amended or superseded by standards hereafter prescribed and promulgated under such authority, said amendment to be effective immediately.

Strike out the paragraph entitled "Percentage of Moisture" and insert in lieu thereof the following:

Percentage of Moisture.—Percentage of moisture shall be that ascertained by the air oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Bureau of Agricultural Economics of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results in the determination of moisture.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 19th day of August 1936.

[SEAL] H. A. WALLACE, *Secretary.*

[F. R. Doc. 1814—Filed, August 19, 1936; 11:59 a. m.]

Bureau of Animal Industry.

Amendment 4 to BAI Order 353. Effective August 20, 1936

AMENDMENT OF ORDER TO PREVENT THE INTRODUCTION INTO THE UNITED STATES OF RINDERPEST AND FOOT-AND-MOUTH DISEASE

AUGUST 19, 1936.

Under authority conferred upon the Secretary of Agriculture by Sec. 306 of the Tariff Act of 1930 (46 Stat. 590, 689), the order to prevent the introduction into the United States of rinderpest or foot-and-mouth disease (B. A. I. Order 353), dated June 1, 1935, and effective August 1, 1935, as amended September 20, 1935, September 24, 1935, and April 23, 1936, is hereby further amended by striking out the name "Poland" from said order, inasmuch as I have determined that neither foot-and-mouth disease nor rinderpest now exists in said foreign country of Poland, and I have so officially notified the Secretary of the Treasury.

This amendment, which for the purpose of identification is designated Amendment 4 to B. A. I. Order 353, shall be effective August 20, 1936.

Done at Washington this 19th day of August 1936. Witness my hand and the seal of the Department of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1813—Filed, August 19, 1936; 11:58 a. m.]

Bureau of Biological Survey.

ORDER

PERMITTING FISHING WITHIN ARROWWOOD MIGRATORY WATERFOWL REFUGE, NORTH DAKOTA

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered until further notice that fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of North Dakota from waters within the Arrowwood Migratory Waterfowl Refuge, established by Executive Order No. 7168, dated September 4, 1935, subject to the following conditions and restrictions:

1. *Licenses.*—Any person exercising the privileges of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of North Dakota, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit the license to any representative of the State Game Department authorized to enforce fishing laws or any representative of the Bureau of Biological Survey: *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

2. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

3. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

[SEAL] H. A. WALLACE, *Secretary.*

AUGUST 19, 1936.

[F. R. Doc. 1807—Filed, August 19, 1936; 11:54 a. m.]

ORDER

PERMITTING AND REGULATING FISHING WITHIN BIG LAKE RESERVATION, ARKANSAS

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered until further notice that fish may be taken for commercial purposes and for sport or for family use under permit issued by the resident officer in charge, when and as permitted by the laws and regulations of Arkansas from waters within Big Lake Reservation, Arkansas, set apart and reserved as breeding grounds for birds by Executive Order No. 2230, dated August 2, 1915, subject to the following conditions, restrictions, and requirements:

1. *Licenses.*—Prior to the issuance of a Federal permit to fish on the refuge, the applicant for the privilege shall be in possession of and exhibit to the resident officer in charge a valid State fishing license, if such license is required, and any person to whom has been issued a Federal permit shall carry such permit on his person when exercising the privileges thereunder and, upon demand, shall exhibit his permit and license to any Federal or State officer authorized to enforce Federal and State fishing laws and regulations: Provided, That such fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

2. *Nets and tackle.*—All nets and other set tackle, except limb lines used for fishing on Big Lake Reservation in the State of Arkansas, shall be tagged with metal tags in accordance with the fishing laws of Arkansas. All persons are warned that untagged nets and other set tackle except limb lines will be subject to seizure.

3. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge.

4. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

5. *Suspension of fishing privileges.*—Whenever it shall appear, during the open season herein provided, that because of intensive fishing or other causes the supply of fish in any area or areas of the waters open to fishing is becoming excessively reduced, the Chief, Bureau of Biological Survey, may, in his discretion, within three days after giving notice to that effect, terminate fishing in such area or areas as may in his judgment be so affected; and all outstanding permits for fishing in such area or areas shall thereupon become null and void.

6. *Reports.*—Each permittee authorized to take fish on the refuge for commercial purposes shall within 10 days after the expiration or termination of his permit submit to the officer in charge, or his representative, a report correctly stating the kinds of fish and the quantity of each kind taken.

7. *Revocation of permits.*—Any permit issued under this order may be revoked by the issuing officer for noncompliance with the terms thereof, for nonuse, or for violation of any law or regulation applicable to the refuge or of any State or Federal law or regulation protecting fish or other wildlife, or the nests or eggs of birds; and it is subject at all times to discretionary revocation by the Secretary of Agriculture.

Service and Regulatory Announcements, B. S. 24 and 44, issued October 22, 1918, and December 9, 1921, respectively, are hereby revoked.

[SEAL] H. A. WALLACE, *Secretary.*

AUGUST 19, 1936.

[F. R. Doc. 1806—Filed, August 19, 1936; 11:54 a. m.]

ORDER

PERMITTING FISHING WITHIN MEDICINE LAKE MIGRATORY WATERFOWL REFUGE, MONTANA

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered until further notice that fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of Montana from waters within the Medicine Lake Migratory Waterfowl Refuge, established by Executive Order No. 7148, dated August 19, 1935, subject to the following conditions and restrictions:

1. *Licenses.*—Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of Montana, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit the license to any representative of the State Game Department authorized to enforce fishing laws or any representative of the Bureau of Biological Survey: *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

2. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow

such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

3. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

[SEAL] H. A. WALLACE, *Secretary.*

AUGUST 19, 1936.

[F. R. Doc. 1808—Filed, August 19, 1936; 11:54 a. m.]

ORDER

PERMITTING FISHING WITHIN SQUAW CREEK MIGRATORY WATERFOWL REFUGE, MISSOURI

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered until further notice that fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of Missouri from waters within the Squaw Creek Migratory Waterfowl Refuge, established by Executive Order No. 7156, dated August 23, 1935, subject to the following conditions and restrictions:

1. *Licenses.*—Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of Missouri, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit the license to any representative of the State Game Department authorized to enforce fishing laws or any representative of the Bureau of Biological Survey: *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

2. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

3. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

[SEAL] H. A. WALLACE, *Secretary.*

AUGUST 19, 1936.

[F. R. Doc. 1809—Filed, August 19, 1936; 11:55 a. m.]

ORDER

PERMITTING FISHING WITHIN UPPER SOURIS MIGRATORY WATERFOWL REFUGE, NORTH DAKOTA

Pursuant to regulations 1 and 2 of the regulations of the Secretary of Agriculture of May 7, 1930, governing the administration of Federal wildlife refuges, it is hereby ordered until further notice that fish may be taken for noncommercial purposes when and as permitted by the laws and regulations of the State of North Dakota from waters within the Upper Souris Migratory Waterfowl Refuge, established by Executive Order No. 7161, dated August 27, 1935, subject to the following conditions and restrictions:

1. *Licenses.*—Any person exercising the privilege of fishing within the refuge shall be in possession of a valid State fishing license issued by the State of North Dakota, if such license is required, and shall carry such license on his person while fishing, and when requested to do so shall exhibit the license to any representative of the State Game Department authorized to enforce fishing laws, or any representative of the Bureau of Biological Survey: *Provided,* That fishing shall be done in such manner as will not interfere with the objects for which the refuge was established.

2. *Routes of travel.*—Persons entering the refuge for the purpose of reaching waters thereof for fishing shall follow such routes of travel as shall from time to time be designated by the officer in charge of the refuge.

3. *Firearms and fires.*—The carrying or being in possession of firearms of any description or lighting of fires for any purpose while on such refuge is not permitted. Special care must be observed to prevent lighted matches, cigars, cigarettes, or pipe ashes from being dropped in grass or other inflammable material.

[SEAL] H. A. WALLACE, *Secretary.*

[F. R. Doc. 1810—Filed, August 19, 1936; 11:53 a. m.]

Bureau of Entomology and Plant Quarantine.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF QUARANTINING THE STATES OF CALIFORNIA, COLORADO, NEW MEXICO, TEXAS, AND UTAH ON ACCOUNT OF THE PEACH MOSAIC DISEASE

AUGUST 19, 1936.

The Secretary of Agriculture has information that peach mosaic, a dangerous plant disease not heretofore widely prevalent or distributed within and throughout the United States, exists in portions of the States of California, Colorado, New Mexico, Texas, and Utah.

It appears necessary, therefore, to consider the advisability of quarantining the States of California, Colorado, New Mexico, Texas, and Utah, and of restricting or prohibiting the movement of peach and nectarine trees and parts thereof from these States or from any districts therein designated as infected.

Notice is, therefore, hereby given that in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the Act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), a public hearing will be held before the Bureau of Entomology and Plant Quarantine in Room 2050, Bureau of Agricultural Economics Conference Room, Extensible Building, Independence Avenue and Fourteenth Street SW., Washington, D. C., at 2 p. m., September 14, 1936, in order that any persons interested in the proposed quarantine may appear and be heard, either in person or by attorney.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1811—Filed, August 19, 1936; 11:53 a. m.]

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF EITHER REVOKING THE DOMESTIC SATIN MOTH QUARANTINE OR REVISING THE REGULATIONS TO DESIGNATE THE STATE OF OREGON AS INFESTED WITH THAT INSECT

AUGUST 19, 1936.

The Secretary of Agriculture has information that the satin moth (*Stilpnotia salicis* L.), a dangerous insect not heretofore widely prevalent or distributed within and throughout the United States, which has been known for some time to exist in portions of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Washington, has recently been found in the State of Oregon.

It appears necessary, therefore, to consider the advisability of either (1) revoking the Federal Domestic Quarantine (No. 53) on account of this insect, or (2) extending to the State of Oregon the restrictions which apply to the movement from infested States of poplar and willow trees or parts thereof capable of propagation.

Notice is, therefore, hereby given that in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the Act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), a public hearing will be held before the Bureau of Entomology and Plant Quarantine in Room

2050, Bureau of Agricultural Economics Conference Room, Extensible Bldg., Independence Ave. and Fourteenth St. SW., Washington, D. C., at 10 a. m., September 14, 1936, in order that any persons interested in the proposed revocation or extension of the quarantine may appear and be heard either in person or by attorney.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 1812—Filed, August 19, 1936; 11:58 a. m.]

INTERSTATE COMMERCE COMMISSION.

In the Matter of Security for the Protection of the Public as Provided in the Motor Carrier Act, 1935, and of Rules and Regulations Governing the Filing and Approval of Surety Bonds, Policies of Insurance, Qualifications as a Self-Insurer or Other Securities and Agreements by Motor Carriers and Brokers Subject to the Motor Carrier Act, 1935

Submitted May 13, 1936 Decided August 3, 1936

RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER OF OTHER SECURITIES OR AGREEMENTS, PRESCRIBED

John H. Awtry, Edward S. Brashears, J. W. Blood, Theo. F. Behler, C. D. Cass, Jos. C. Colquitt, Chas. E. Cotterill, G. H. Dilla, Peter J. Decker, George M. Eichler, N. Ward Guthrie, Albert M. Hartung, R. C. Hoffman, Jr., Geo. F. Graham, Edward L. Hefron, S. A. Markel, Sterling G. McNees, John M. Meighan, Rembert Marshall, Edgar Watkins, Jr., Edmund W. Wakelee, J. M. Zachara, and *J. N. Campbell* for various motor carriers and parties supporting carriers.

John E. Benton and *Clyde S. Bailey* for National Association of Railroad and Utilities Commissioners; *Daniel de Brier* for Board of Public Utility Commissioners of New Jersey; *Owen B. Hunt* for Commonwealth of Pennsylvania Insurance Commissioner; *Herbert Qualls* for Tennessee Railroad and Public Utilities Commission; and *F. J. Schaaf* for Washington Department of Public Service.

Roy D. Brown, E. T. Buckley, Paul E. Blanchard, Jos C. Colquitt, C. H. McAuley, and *R. D. Rynder* for various shippers.

B. B. Bridge, W. E. Benoy, G. T. Crisp, H. Economidy, Harry Green, H. O. Hirt, Eugene Heusel, Daniel V. Howell, David P. Janes, David J. Kadyk, Paul H. Lacques, S. A. Markel, and *Morris Gewirz* for various insurance companies; and *R. B. Gwathmey and R. J. Doss* for Atlantic Coast Line Railroad.

Report of the Commission

Division 5, Commissioners Eastman, Lee, and Caskie

By Division 5:

This is an investigation, instituted upon our own motion, into the matter of security for the protection of the public under the Motor Carrier Act, 1935.

A hearing was had and the issues were orally argued. Motor carriers, State Commissions, shippers, and insurance companies were represented individually and by their respective organizations at the hearing and much testimony was offered on their behalf. The Atlantic Coast Line Railroad Company appeared but offered no evidence. A committee of State Commissioners cooperated with us in determining the issues. Some time prior to the hearing, our Bureau of Motor Carriers published a draft of proposed rules concerning this matter for the purpose of eliciting comments and criticisms, which rules are set out in appendix 1. Practically all of the evidence submitted was directed to these proposed rules.

The rules and regulations hereby prescribed cover all motor carrier operations in interstate and foreign commerce (not specifically exempted by the Act), including those conducted solely within any State under a certificate of public convenience and necessity issued by the board of such State. The language of Section 215 of the Act here involved is that no "certificate or permit shall be issued to a motor carrier or remain in force, unless such carrier complies with such reasonable rules and regulations as the Commission shall prescribe" governing security for the protection of the public. The second proviso of Section 206 (a), concerning certificates of public convenience and necessity, is as follows:

And provided further, That this paragraph shall not be so construed as to require any such carrier lawfully engaged in operation solely within any State to obtain from the Commission a certificate authorizing the transportation by such carrier of passengers or property in interstate or foreign commerce between places within such State if there be a board in such State having authority to grant or approve such certificates and if such carrier has obtained such certificates from such board. Such transportation shall, however, be otherwise subject to the jurisdiction of the Commission under this part.

The problem here presented is whether certificates of State boards described in the latter provision are included within those mentioned in Section 215.

It is our opinion that the purpose of the latter provision was to relieve motor carriers who engaged in interstate or foreign commerce wholly between points within a single State, under the authority of a certificate from that State, from the burden of obtaining a further certificate from this Commission; and that this is its sole and only purpose and effect. The specific language of the last sentence of the proviso shows a clear intent to bring the interstate or foreign transportation performed by such carriers under the jurisdiction of this Commission in every other particular. In effect, the quoted provision of Section 206 (a) creates a statutory adoption by this Commission of such State certificates, in lieu of certificates actually issued or to be issued by this Commission. Both constitute valid authority under the Act for motor carrier operation in interstate or foreign commerce and are to be so recognized by this Commission. As such, both may be said to emanate from this Commission and to be embraced within the term "certificate" which, under Section 215, shall not "be issued to a motor carrier or remain in force" unless such carrier complies with the rules and regulations hereby prescribed.

It would be clearly unfair and discriminatory, and would result in an anomalous and indefensible situation to require compliance with such regulations by one interstate motor carrier because he crossed State lines, and relieve another interstate motor carrier from such duty merely because he did not. We are clear that in such matters as public protection, all motor carriers subject to the Act, because of their participation in interstate or foreign commerce, should be compelled to comply with the same requirements, and that the language of the Act as well as the public interest demand the conclusion here reached.

INSURANCE LIMITS

Statistics on loss experience of certain insurance companies on intercity buses and of certain bus companies acting as self-insurers, excluding statistics which are apparently inaccurate, reveal that on public liability losses, that is, for bodily injuries to or the death of any person, the vast majority of individual claims are for $500 or less, that claims over $5,000 range from 0.5 to 1.2 percent of those paid, but that payments on the claims last mentioned range from 18.5 to 45.5 percent of the total. These percentages are based on 10,579 paid claims aggregating $3,086,577 covering a three-year period of country-wide experience. Substantially the same group of companies report that on intercity buses, over a three-year period, 31 accidents occurred in which more than one person was injured, and in which the aggregate cost per accident exceeded $10,000. The largest cost per accident to these companies from the 31 accidents ranged from $14,000 to $49,378, and the average cost per company varied from $12,060 to $25,300.

Data of certain insurance companies and self-insurers relating to bodily injury liability loss experience on so-called long-haul trucks, that is, trucks operated more than 50 miles by common and private carriers, show that most of the individual claims are for $500 or less, that as to some com-

panies no claims over $5,000 have been paid, and that other claims of the size last mentioned ranged from 0.2 to 2.3 percent per company in number but cost from 6.8 to 49.6 percent of the total. These percentages are based on 6,205 paid claims totaling $2,428,629 during a three-year period of country-wide experience, except that the figures of one self-insurer cover a period of two years. The self-insurers and several insurance companies had no claims on accidents involving more than one person in which the aggregate cost per accident exceeded $10,000. However, other insurance companies in this group report that for a two-year period 13 such accidents occurred, the largest cost per accident for the several companies ranging from $13,640 to $42,064, and the average cost per company from $13,639 to $37,532. Much other evidence to the same effect was introduced. The insurance companies' data reflect only losses within the scope of their policies and therefore do not include losses sustained by carriers in excess of the amount of insurance carried. Complete information as to the number of vehicles and the extent of the operations covered by these figures is not available. Apparently, however, from estimates made in connection with most of the data submitted, the annual operations of about 4,500 buses and 20,000 trucks are represented, which, while a minor portion of the industry, nevertheless furnish a good cross-section of experience. It appears that while a negligible percentage of public liability claims cost more than $5,000 each, payments on such claims represent a substantial proportion of the total paid.

The evidence as to property damage liability claims is meager. One insurance agency shows that for a four-year period payments on 208,480 claims from bus operations averaged $9.50 each, three exceeding $1,000 each. Included in these figures are 26,408 baggage loss claims averaging $6.10, two of which exceeded $1,509 each. A group of insurance companies, which carried policies covering about 3,500 trucks used in long-haul operations in 33 States, paid 1,365 property damage liability claims averaging $58 each, of which two exceeded $1,000 each.

The record indicates that insured carriers generally have primary liability insurance in amounts of $5,000 per person and $10,000 per accident, and in some instances $10,000 and $20,000 respectively, and that a considerable number of the larger operators maintain insurance up to amounts as great as or greater than those proposed by the Bureau. Additional insurance is frequently carried in so-called excess policies which cover losses to the extent they exceed the primary coverage and do not exceed the limits of the excess policies. No evidence is of record as to loss experience on such policies.

Apparently most bus operators are insured. The limits for many of them, especially the smaller ones, are $5,000 per person, $10,000 per accident, and $1,000 property damage. A substantial number of property carriers have insurance within these limits, and many do not have any coverage. The financial responsibility of a substantial number of carriers is very limited, and the security furnished by them pursuant to the requirements of Section 215 will be the major source of compensation for any injuries by them to persons and loss of or damage to property.

The present cost of insurance, when carried, is said to range from about 5 percent of the gross revenue for the larger operators to about 15 percent for the smaller ones. It is urged that the cost of insurance according to the limits proposed by the Bureau will be more than the traffic can bear. Based on the so-called Manual of Rates established by the National Bureau of Casualty and Surety Underwriters, raising the limits as proposed on buses would result in percentage increases in premiums as follows: from $5,000 per person to $10,000, 24 percent; from $5,000 per person and $10,000 per accident, to $10,000 and $50,000, respectively, 59 percent, and to $10,000 and $100,000, respectively, 76 percent; and under the limits proposed on trucks from $5,000 per person and $10,000 per accident to $10,000 and $25,000, respectively, 17 percent. It is pointed out that our rules will be a matter of public knowledge, and that if high limits are imposed they will be reflected to some extent in larger claims, eventually resulting in an increased loss ratio. Most claims, however, are under $1,000, and it is conceded by some respondents that high limits do not necessarily affect such claims. Many of the larger interstate freight carriers are listed in the publication *Official Motor Freight Guide*, and in such listings the amount of insurance carried is generally indicated.

The subject of limits of liability for insurance policies and other forms of security is one to which we have devoted a great deal of thought and as to which not all are of the same mind. We are unanimous in believing that higher limits of liability are desirable. Practical considerations prevent us, for the present, from prescribing such higher limits. One of these features is the expense which will be imposed upon the carriers for the insurance premiums. A large number of carriers have not been protected by any kind of insurance. Some of these are operators who have heretofore been regarded both by themselves and the States as contract carriers, but will be classified as common carriers under the federal act. Many others are operators in States which have no insurance requirements whatever. The expense of furnishing this insurance will therefore prove to be a burden on many small carriers not hitherto borne by them. Moreover, we recognize that other expenses which are and will be new to the carrier's experience will be imposed by this act, such as compiling and filing tariffs, and installing safety devices which have not been previously required.

It is to be expected that it will be possible in the future without undue burden to increase the limits of liability beyond those now prescribed. We anticipate that the insurance companies and the Commission will acquire a broader and more accurate experience on the losses, and that such experience will in time justify a reduction in premium rates. Insurance companies undoubtedly have charged rates which are designed to protect them against all hazards, and have not failed to make their charges amply large to cover these unknown contingencies. Again, the experience of the insurance companies, upon which their rates are based, has included both regulated and unregulated motor vehicles, and it is anticipated that with safer operation which should follow regulation, the losses will decrease, and will be attended by a corresponding decrease in premium rates. We have already begun the collection of statistics bearing on insurance and are taking steps to decrease the hazards which attend motor vehicle transportation. After a period of operation under regulation it is to be anticipated that a more stable condition in the industry will follow, which will enable the motor vehicle operators to purchase insurance for higher limits without undue burden.

Concerning the actual limits which we have adopted, it may be observed that they are comparable to the limits imposed by a large majority of the States. It will be borne in mind that it is likely that in States having higher limits many interstate operators will also be operating intra-state and be required to furnish insurance up to such limits. After considering all the circumstances it is our best judgment that, for the present, the limits hereinafter set forth in the findings are reasonable.

BROKERS

Section 211 (c) imposes upon us the duty to require brokers to furnish a bond or other security in such form and amount as will insure financial responsibility and the supplying of authorized transportation in accordance with contracts, agreements, or arrangements therefor.

At the hearing, discussion was had as to the proposal previously made by the Bureau that the security or bond to be required by the broker should be in the penal sum of $5,000. No objection was heard as to this recommendation and, we are of the opinion that such requirement is reasonable.

CARGO INSURANCE

The American Trucking Associations and a number of individual property carriers and other respondents recommend that cargo insurance be required of all common carriers of property by motor vehicle. It is generally admitted that there

is a need for such a requirement and that shippers in general are inadequately protected at present especially in those situations where trucks are the only means of transportation. A truckload may range in value from an amount much less than $1,000, as on low-grade heavy-loading commodities, to an amount over $150,000, as, for example, on silk.

Truck cargo insurance is a form of inland marine insurance and may be secured by either carriers or shippers. The usual policy may cover anything from so-called all-risks to individual hazards. There is no prescribed form of coverage, the policies being written to meet individual needs. The ordinary policy issued to motor carriers covers only the liability of carriers for loss or damage to merchandise in their custody due to certain specific perils or causes, sometimes called road hazards, such as fire, lightning, rise of navigable waters, windstorm, collision or upsets, collapse of bridges, and the stranding, sinking, burning, or collision of ferry boats that may occur while trucks are being transported thereon. There are many risks excluded, such as loss or damage caused by (1) neglect of driver to use all reasonable means to preserve shipments from damage either before or after an accident, (2) poor packing or stowage, or rough handling, (3) leakage, (4) shipments coming in contact with other merchandise, (5) strikes or as a consequence of civil commotions, etc., (6) loss of money, such as cash-on-delivery collections, and (7) loss or damage occurring while trucks are held in the carrier's premises or in buildings in which trucks are usually garaged. In some cases losses due to *hijacking* of trucks are excluded entirely, and in others such losses are excluded while trucks are passing through some particular zone.

The Inland Marine Underwriters Association is composed of 154 member companies which during 1935 wrote approximately 94 percent of the total gross inland marine insurance written in the United States. The following data were submitted by 147 of these companies which wrote 90 percent of the total insurance in 1935: For the period 1933–1935 on motor-truck cargo insurance the total losses paid were $5,834,910.28 on 35,596 individual claims ranging from 10 cents to $28,865, the averages being for 1933, 1934, and 1935. $165.56, $160.94, and $165.68, respectively. The total loss on claims over $2,500 was $1,640,893.16. In 1933, 0.82 percent of the number of claims were for amounts over $2,500, representing 25.8 percent of the loss; in 1934, 0.79 percent of such claims represented 28.8 percent of the loss; and in 1935, 0.92 percent of such claims represented 29.4 percent of the loss. As the amount of insurance carried limits the liability of the insurance company, the companies were unable to supply information on actual losses.

Another feature which caused us some difficulty was the question of whether to require cargo insurance covering defaults of the common carrier of property. The question involved a construction of the statute. It will be noted that Section 215 deals with two subjects. The section consists of three sentences, the first of which deals with security for the consequences of negligence resulting in bodily injury to or death of persons and for loss or damage to property of others. This kind of insurance is what is commonly known as bodily injury liability and property damage liability and is written by insurance companies commonly described as casualty companies. The last two sentences in the section deal with security for loss, damage, or default in respect to property transported, such insurance is commonly known as cargo insurance. Companies writing cargo insurance ordinarily are not authorized to write casualty insurance. Insurance against defaults represents still another kind of insurance, which is commonly known as fidelity insurance. By defaults we understand is meant misconduct such as failure to transmit collections made by the carrier of C. O. D. shipments, delays in delivery, certain embezzlements of property or money, unauthorized delivery of goods transported under an "order-notify" bill of lading, and the like. It would therefore be the practical result of a requirement for security against defaults, that the carrier of property would be compelled to furnish two policies of insurance covering the two separate classes of risk. Insurance against undefined defaults involves such hazards that many carriers will be unable to procure it at all. It will be noted that in respect to cargo insurance we are vested with a wide discretion, the statute differing in this respect from the provisions of the first sentence of the section. It reads: "the Commission may in its discretion * * * require any such common carrier," etc. We also considered in this respect that many carriers do not furnish the services called C. O. D. service. If a carrier does furnish such service, he must provide by a rule in his tariff for its rendition. Not many tariffs filed with us contain such a rule and it is probable that the larger number of common carriers are not authorized to render this service and do not desire to do so. We also consider that it is within the power of a shipper who desires to have C. O. D. service to require security from the carrier or to procure it at his own expense from an insurance company writing such insurance. For the foregoing reasons we have decided, for the present, to make no provision for insurance against what has been described as defaults.

We have determined to exercise the discretion given by statute by not requiring cargo insurance of carriers of passengers. We recognize that passenger carriers transport a certain amount of property for hire in the form of express, newspapers, excess baggage, etc., and that in certain instances property of this class will be transported in a vehicle other than that in which passengers are transported. We considered requiring cargo insurance covering this transportation, but have decided not to do so at this time for the reasons that no demand for this protection was expressed by any of the parties either at the hearing or in subsequent conferences, that few, if any, States make this requirement, that usually such losses are small in value, and that the passenger carriers as a class have a fairly high degree of financial responsibility, and might safely be looked upon as qualifying as self-insurers to this limited extent. We are of the opinion that, unless and until experience indicates otherwise, no requirement should be made for cargo insurance of this type.

At the hearing a very considerable amount of testimony was offered, and very illuminating briefs have been filed on the subject of shipper's cargo insurance. The plan in question may be briefly summarized as follows: cargo insurance is furnished which protects both the carrier and the shipper, and which covers not only the ordinary features of cargo insurance but certain other hazards as well. The expense of this insurance is divided between the shipper and carrier, and carriers' transportation charges are reduced to that extent. Cases are now pending before the Commission on which this question is raised directly. It is believed desirable to determine this question in a proceeding in which it is made a direct issue rather than in a proceeding of this kind. We will, therefore, not pass upon this question at the present time.

BONDS, INSURANCE POLICIES, FORMS, AND PROCEDURE

It will be noted that our rules do not require the filing with us of the actual policy of insurance but instead require filing only of a certificate of insurance. We deem it desirable to make some explanation of the administrative method contemplated and the reasons for adopting it. We have prescribed a form of endorsement to be attached to policies of insurance issued by insurance companies to motor carriers. This endorsement will describe the insurance coverage which we require and will provide that the endorsement is paramount to any term or condition in the policy or to any other endorsement attached thereto. We regard this endorsement as stating in substance all the coverage which our rules require. We recognize that many conditions and provisions of policies of insurance are proper as between the insurer and the insured, but since the purpose of requiring the insurance is for the protection of the public and since those features which we deem essential for such protection are included in the endorsement, we consider it unnecessary to require the policy itself to be filed with us. We have therefore concluded to adopt a practice which has been inaugurated by other departments of the Govern-

ment and by some State commissions, in which all that will be required to be filed with us is a certificate from the insurance company, reciting that our prescribed form of endorsement has been attached to a policy of insurance, together with a description of the policy by indicating its effective date and date of termination and parties and number, and the territorial limits which it covers. This certificate, coupled with the requirement that on our request a duplicate original of such policy and all endorsements will be furnished, and the insurance company's acquiescence and specific agreement to such requirements, seems all that is requisite for the protection of the public. The practice is justified by economy in administration, because of the facility with which such certificates may be examined and filed, thus relieving us of the necessity of examining all of the various terms and conditions of policies. The success which has attended the use of such system by other commissions prompts us to adopt this method.

Sections 211 (c) and 215 of the act empower us to prescribe reasonable rules and regulations governing the filing and approval of surety bonds and policies of insurance which we may require as a condition to the issuance of a certificate, permit, or license. As an incident to such filing and approval it is necessary that we set up certain standards as to the acceptability of the contract of insurance and financial responsibility of the issuing company.

The rules and regulations proposed by the Bureau for the approval of bonds and bonding companies are based on the provisions of United States Code, title 6, sections 6–13, called the Corporate Surety Act or the Surety Companies Act. This act is deemed to be applicable to surety companies furnishing bonds required by us. With respect to the approval of surety bonds written by corporate surety companies, we will, in accordance with the laws of the United States, require such bonds to be written by companies authorized thereto by the Treasury Department of the United States.

It is contemplated that the liability in the bond shall be the limit prescribed per vehicle times the number of vehicles, the obligation to be continuous during the life of the bond regardless of payments thereunder. This is a so-called open penalty bond on which the premium, it is claimed, is extremely high, namely, $10 per annum per $1,000 (1%) on the maximum limit of bodily injuries for each vehicle. For example, the rate on a bus covered for $50,000 is $500. The bond merely guarantees payment by the surety if the carrier defaults. It is suggested that the public would be adequately protected under a so-called fixed penalty bond for a reasonable amount such as double the limits of insurance prescribed for one accident subject to a maximum obligation of $100,000. Under this bond, the obligation is discharged when the amount named is paid. It is urged that as only financially strong carriers would be able to procure such bonds without depositing full collateral and such companies are primarily responsible, the public would be amply protected. We are not persuaded, however, that a bonded carrier should be permitted to furnish less security than the minimum prescribed for insured carriers.

Another rule proposed by the Bureau was that insurance must be written by one insurance company for the full limits prescribed. The evidence is to the effect that this requirement, which prohibits excess insurance within such limits, would, in view of the coverage proposed, render the cost of insurance prohibitive. The cost of primary and excess insurance in combination is much less than that for a single policy for the total amount. An example based on manual rates shows that on an assumed premium of $2.25 per $1,000 gross annual earnings, the net cost for 200 buses covered for $10,000 per person, $50,000 per accident, and $5,000 property damage would be $135,400, whereas the cost of primary insurance of $10,000 for one or more persons and $5,000 property damage would be $83,800 and on an excess policy for $200,000 above the first $10,000 covering one or more persons would be $15 per bus or $3,000, making a total cost of $91,800. The principal objection to two policies on one risk is due to the so-called contribution question, which arises when the primary company seeks from the excess company a contribution on a settlement which may be had within the primary limits but which, if not made and the claim involved is litigated, might result in a verdict in excess of the primary cover. It is stated that this situation occasionally develops in an insignificant number of cases and may result in postponement of a settlement, but that claimant does not lose thereby. It is, of course, clear that while controversies between insurance companies obstruct settlements and delay payments, regardless thereof claimant will, if he litigates his claim, eventually secure judgment for the damage sustained if entitled thereto plus interest from the date of the accident. In theory, therefore, claimant would lose nothing by such delay. Delays are disadvantageous in many respects, however, and are always dangerous if there is any question as to the solvency of the insurance company. It is desirable for the coverage, if possible, to be written under one policy and the general practice is in this direction, especially when the policy limits are not such as to provide for all contingencies.

A standard proposed by the Bureau for insurance companies was that the policy must be issued by a company licensed to do business in every State in which the policy is effective. Most States require by law or regulation that motor vehicles for hire within their jurisdiction must be insured by domesticated insurance companies. As an alternative to domestication it is suggested that an insurance company should be permitted to appoint an agent for service of process in each State in which its policies are in effect and file an agreement with the proper authorities in such State that the policy shall be construed under and subject to its law and that, subject to the limits contained in the policy, in any action or proceeding thereon the insurance company shall pay any judgment becoming final. If one of the above rules were not adopted, a claimant would be compelled to sue the insurance company in its home State or in a State in which it was domiciled, in the event the company tried to evade responsibility. The domestication requirement, it is stated, will cause expense to insurance companies in connection with complying with State regulations. This expense could be saved without sacrifice of security, it is urged, if the alternative suggestion were adopted.

An additional standard proposed by the Bureau was to the effect that policies must be written by an insurance company with a minimum surplus to policy holders of $250,000, of which $100,000 shall be on deposit with the insurance department of its home State or any of the States in which it is licensed. The Corporate Surety Act provides that corporate bonds required or permitted by laws of the United States must be written by companies with a paid-up capital of not less than $250,000 in cash or its equivalent. The United States Treasury Department, under rules and regulations issued in connection with that act, requires a deposit fund similar to that here proposed. Certain small insurance companies state that their policies would be unacceptable under this standard, and that they would thereby sustain serious financial losses, and that if all companies unable to meet the requirements were prevented from writing this business, there would be a dearth of companies, with a resultant trend toward monopoly and higher rates. However, an analysis of the business written by these respondents based on the loss-experience data furnished at our request discloses that they have covered none of the interstate buses and a negligible number of long-haul trucks. While it may be conceded, as these respondents contend, that the surplus of an insurance company is not the only measure of its solvency, it is desirable that there be some standard of financial responsibility. It is also urged that the domestication rule, if established, would set a sufficiently high standard. It is conceded, however, that some companies which are authorized to do business in certain States could not qualify in others. The mutual companies offered evidence in support of their position that some value should be attached to the assessment feature in their policies and that an allowance therefor should be made in the capitalization standard.

One of the most difficult questions which is presented by this record is that of determining the standards of eligibility and responsibility of insurance companies. We recognize that it probably will be necessary in the development of regulation to prescribe standards for the insurance companies writing

insurance for the protection of the public. We are, however, confronted with the difficulty that neither this nor any other department of the Federal Government now possesses facilities designed for the investigation and determination of the responsibility of insurance companies, financial or otherwise. The various States through their existing insurance departments do have these facilities.

The practical solution of the problem, therefore, is that, for the time being and until we are better prepared for the performance of this duty, we be guided by the standards for insurance companies acceptable to the States. With this principle in mind, we have decided to require that the insurance companies be legally authorized to transact business in each State in which their policies cover the operations of the insured motor carrier.

It is recognized that to some extent this may impose a hardship on the insurance companies. In many instances insurance companies with a high degree of responsibility do not, for reasons of their own, desire to enter certain States. The question of the ability of reciprocal and mutual companies to qualify arises, for the reason that in some States there is no provision in the law for licensing insurance institutions of this kind. Thus it may happen that in some instances insurance companies which may desire to write insurance for a particular motor carrier may not be able to do so under the rule which we have adopted. On the other hand, it will be borne in mind that in many instances the carriers who come under our regulation are also operating intrastate under the regulation of the States. It is almost a universal requirement of the States that motor carriers file insurance policies written by domesticated insurance companies; hence a very large number of the motor carriers subject to our jurisdiction already have procured insurance written by companies domesticated in the States in which they operate, and our rule will impose no undue burden upon them or upon the insurance companies. Furthermore, our rules do not limit the carrier to the furnishing of one single policy, provided, of course, that his entire operation is covered by some form of the security provided for the protection of the public. Hence, in the cases in which difficulty may be encountered because of our requirements of domestication, the carrier may, under our rules, furnish a policy written by some company domesticated in the State, even though he may have to furnish more than one policy or some other form of security covering portions of his operation.

What has been said is not to be understood as authorizing excess policies, which, because of the limits of liability adopted by us, are deemed undesirable and will not be accepted.

SELF-INSURANCE

It is generally conceded that self-insurance requirements should be stringent and that carriers availing themselves of this privilege should maintain adequate reserves to meet claims. It is urged, however, that no set rules be established and that each application for the right to self-insure receive individual consideration.

Prior to the hearing, the Bureau had submitted a tentative proposal providing for minimum financial standards as qualifications for self-insurance. Much discussion and some criticism of these standards developed at the hearing. After due consideration we are of the opinion that the standard by which the qualifications of a self-insurer or other arrangements contemplated by the statute should be measured is that such self-insurance or such other arrangements afford the public the security contemplated in Section 215 of the Motor Carrier Act, 1935, this fact to be determined by us after consideration of the merits of each individual case.

No evidence was introduced in opposition to the other rules proposed.

FINDINGS

Upon the facts we find and conclude that, under Sections 211 (c) and 215 of the Motor Carrier Act, 1935:

1. Reasonable minimum amounts of insurance for bodily injury or death on each motor vehicle transporting passengers are and will be as follows: For one person, $5,000; subject to that limit per person, for all persons in any one accident where the seating capacity is 7 passengers or less, $15,000; 8 to 12 passengers, inclusive, $20,000; 13 to 20 passengers, inclusive, $30,000; 21 to 30 passengers, inclusive, $40,000; and 31 passengers, or more, $50,000; and for property damage, $1,000.

2. Reasonable minimum amounts of insurance on each motor vehicle transporting property for bodily injury or death are and will be: For one person, $5,000; subject to that limit per person, for all persons in any one accident, $10,000; and for property damage, $1,000.

3. A reasonable minimum amount of insurance to cover loss or damage to property belonging to shippers or consignees and coming into the possession of such carrier in connection with its transportation service is and will be: For the loss or damage to property carried on any one motor vehicle, $1,000; for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time and place, $2,000.

4. A reasonable minimum amount of protection as a condition to the issuance of a broker's license is and will be a bond or other security in the sum of $5,000.

5. Each certificate or policy of insurance or surety bond with corporate or individual sureties filed with us for approval must be for not less than the full limits of liability prescribed by us; and in each case in which surety on any bond is a surety company, such company must be one approved by the United States Treasury Department under the laws of the United States and the applicable rules and regulations governing bonding companies.

6. Upon this record, no set rules governing the qualifications for self-insurers can be established and for the present we will receive and consider for approval the application of any motor carrier which can establish to our satisfaction its ability to satisfy its obligations for bodily injury liability, property damage, or cargo liability without affecting the stability or permanency of its business; and we will also consider applications for approval of securities or other agreements other than surety bonds, policies of insurance, or qualifications as a self-insurer.

7. In order to afford reasonable security for the protection of the public, endorsements for policies of insurance, surety bonds, certificates of insurance and applications to qualify as a self-insurer and notices of cancellation must be in the forms prescribed and approved by this Commission.

8. In order to afford reasonable security for the protection of the public, all policies of insurance as amended by endorsements must be written by insurance companies legally authorized to transact business in each State in which their policies cover the operations of the insured motor carrier.

9. In order to afford reasonable security for the protection of the public no surety bond, policy of insurance, endorsement or certificate of insurance or other securities and agreements shall be cancelled or withdrawn until after thirty days' notice to this Commission.

10. The following rules are reasonable and should be adopted:

RULE I

No motor carrier subject to the provisions of the Motor Carrier Act, 1935, shall engage in interstate or foreign commerce, and no certificate or permit shall be issued to a motor carrier, or shall remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned to pay, within the amount of such surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit, or for loss or damage to property of others; nor shall any common carrier by motor vehicle subject to the

provisions of said Act engage in interstate or foreign commerce, nor shall any certificate be issued to such carrier, nor remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned upon such carrier making compensation to shippers or consignees for all property belonging to shippers or consignees and coming into the possession of such carrier in connection with its transportation service.

RULE II

The minimum amounts referred to in Rule I are hereby prescribed as follows:

A. *Motor Carriers—Bodily Injury Liability—Property Damage Liability*

(1) Kind of equipment	(2) Limit for bodily injuries to or death of one person	(3) Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of $5,000 for bodily injuries to or death of one person)	(4) Limit for loss or damage in any one accident to property of other (excluding cargo)
Passenger equipment (seating capacity):			
7 passengers or less	$5,000	$15,000	$1,000
8 to 12 passengers, inclusive	5,000	20,000	1,000
13 to 20 passengers, inclusive	5,000	30,000	1,000
21 to 30 passengers, inclusive	5,000	40,000	1,000
31 passengers or more	5,000	50,000	1,000
Freight equipment: All motor vehicles used in the transportation of property	5,000	10,000	1,000

B. *Motor Common Carriers—Cargo Liability*

Security required to compensate shippers or consignees for loss of or damage to property belonging to shippers or consignees and coming into the possession of motor common carriers in connection with their transportation service, (1) for loss of or damage to property carried on any one motor vehicle—$1,000; (2) for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time and place—$2,000.

RULE III

The following combinations will be regarded as one motor vehicle for purposes of these rules, (1) a tractor and trailer or semi-trailer when the tractor is engaged solely in drawing the trailer or semi-trailer, and (2) a truck and trailer when both together bear a single load.

RULE IV

Brokers

No person shall engage in the business of a broker as defined in the Motor Carrier Act, 1935, and no brokerage license shall be issued to any such person nor remain in force unless and until such person shall have furnished a bond or other security approved by the Commission, in an amount of not less than $5,000, and in such form as will insure the financial responsibility of such broker and the supplying of authorized transportation in accordance with the contracts, agreements, or arrangements therefor.

RULE V

Qualifications as a Self-Insurer and Other Securities or Agreements

The Commission will give consideration to and will approve the application of a motor carrier to qualify as a self-insurer if such carrier furnishes a true and accurate statement of its financial condition and other evidence which will establish to the satisfaction of the Commission the ability of such motor carrier to satisfy its obligations for bodily injury liability, property damage liability, or cargo liability without affecting the stability or permanency of the business of such motor carrier.

The Commission will also consider applications for approval of other securities or agreements and will approve any such applications if satisfied that the security or agreement offered will afford the security for the protection of the public contemplated by Sections 211 (c) and 215 of the Motor Carrier Act, 1935.

RULE VI

Bonds and Insurance Policies

Each certificate or policy of insurance or surety bond with corporate or individual sureties filed with the Commission for approval must be for not less than the full limits of liability required under these rules and regulations. In each case in which the surety on any such bond is a surety company, such company must be one approved by the United States Treasury Department under the laws of the United States and the applicable rules and regulations governing bonding companies.

RULE VII

Forms and Procedure

Endorsements for policies of insurance, surety bonds, certificates of insurance, and applications to qualify as a self-insurer or for approval of other securities or agreements, and notices of cancellation all must be in the forms prescribed and approved by the Commission.

Certificates of insurance, surety bonds, and notices of cancellation must be filed with the Commission in triplicate. Upon receipt and approval by the Commission one copy will be stamped "received and approved" and returned to the home office of the insurance or surety company.

Insurance policies and surety bond shall be written in the full and correct name of the individual, partnership, corporation, or other person to whom the certificate, permit, or license is, or is to be, issued. In case of a partnership all partners shall be named.

Surety bonds, policies of insurance, endorsements, or certificates of insurance, and other securities and agreements shall not be cancelled or withdrawn until after thirty (30) days' notice in writing by the insurance company, surety, or sureties, motor carrier, broker, or other party thereto as the case may be, has first been given to the Commission at its office in Washington, D. C., which period of thirty (30) days shall commence to run from the date such notice is actually received at the office of the Commission.

Motor carriers and brokers subject to the jurisdiction of this Commission are hereby required to maintain in effect at all times the security for the protection of the public contemplated in Sections 211 (c) and 215, Motor Carrier Act, 1935, and prescribed by these rules.

RULE VIII

Policies of insurance as amended by the endorsements provided by these rules covering bodily injury liability, property damage liability, and cargo liability must be written by insurance companies legally authorized to transact business in each State in which their policies cover the operations of the insured motor carrier, except that more than one policy of insurance may be used in cases where, in the judgment of the Commission, the territorial operations of such carriers warrant separate coverage on separate portions of their routes or territories.

RULE IX

The Commission may revoke its approval of any surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualification as a self-insurer, or other securities or agreements if it finds at any time that such security no longer complies with these rules.

An appropriate order will be entered.

CASKIE, *Commissioner*, concurring in part:

I concur in the conclusions of the majority except in two respects, (1) that the amounts of insurance here prescribed to secure compensation for personal injuries from the negligent operation, maintenance, or use of passenger and freight motor vehicles are reasonable within the meaning of that term as used in section 215 of the Motor Carrier Act, 1935, and (2) that the amounts of insurance fixed to cover loss of or damage to cargo are adequate to secure compensation to shippers therefor.

The title, viz, "Security for the Protection of the Public", and the context of section 215 clearly disclose that its essential purpose is the protection of the public. In fixing the amounts of insurance to secure compensation for personal injuries the majority have given controlling weight to the opinions and contentions of certain of the parties, largely unsupported by any evidence of probative value, as to what the industry can afford. Thus they have failed to give consideration to or to make provision for the all-important factor of adequate protection of the public. According to my information, $5,000, the minimum amount of insurance required by the majority to secure compensation for injuries to or the death of one person caused by the negligent operation of passenger and freight motor vehicles, and $10,000, the minimum amount of insurance required to secure compensation for injuries to or death of all persons in one accident caused by the negligent operation of freight motor vehicles, are the smallest amounts of insurance for which policies generally are written by casualty companies. The fact, stressed by the majority, that these amounts correspond to the minimum amounts of liability insurance required by a large majority of the States in the case of passenger and freight motor carriers, therefore, is without significance as indicating that such amounts have been found by those States to constitute adequate protection to the public. Aside from the fact that these amounts will not afford adequate protection to the public, the record indicates that they will be insufficient to protect the investment of the small operator in the event he meets with a serious accident.

In my opinion, the evidence fully warrants the prescription of $10,000 as a reasonable amount of insurance to secure compensation for bodily injuries to or the death of any one person caused by the negligent operation of either passenger or freight motor vehicles; of $20,000 to $75,000 as reasonable amounts to secure compensation for bodily injuries to or the death of all persons in any one accident caused by the negligent operation of passenger motor vehicles; and of $20,000 as a reasonable amount to secure compensation for bodily injuries to or death of all persons injured or killed in any one accident by the negligent operation of freight motor vehicles. These or greater amounts of insurance are carried by most of the motor carrier operators who testified at the hearing herein. Substantially these or higher insurance limits are required in seven States[1] on passenger motor vehicles and in six States[2] on freight motor vehicles. No evidence was offered that these limits are more than the motor carrier industry in these States can afford. In Illinois, Indiana, Michigan, and Wisconsin, in which it is a matter of common knowledge that the great bulk of passenger and freight motor vehicles is manufactured, the minimum insurance limits for personal liability are $10,000 for one person, except in Michigan, where he minimum limit is $20,000, and except that in Indiana the minimum limit on freight motor vehicles is $5,000. There is no evidence that these limits have in any way impeded motor carrier operations or interfered with the ability of motor carriers to do business in these States, each of which is an important field of motor carrier operations.

The amounts of insurance required by the majority as to cargo are substantially less than those recommended by the American Trucking Associations and will not, in my opinion, afford adequate security for the protection of shippers. The effect will be to impose upon the shippers in many instances the duty of carrying their own insurance. In my opinion, the limits should be not less than $2,500 for one vehicle and $5,000 for the aggregate losses or damages at any one time and place.

[1] Connecticut, Illinois, Indiana, Michigan, Minnesota, Missouri, and Wisconsin.

[2] Illinois, Louisiana, Maine, Michigan, Minnesota, and Wisconsin.

RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER, OR OTHER SECURITIES AND AGREEMENTS BY MOTOR CARRIERS AND BROKERS SUBJECT TO THE MOTOR CARRIER ACT, 1935

SECTIONS 211 (C) AND 215 OF THE MOTOR CARRIER ACT, 1935

SEC. 211 (c). The Commission shall prescribe reasonable rules and regulations for the protection of travelers or shippers by motor vehicle, to be observed by any person holding a brokerage license, and no such license shall be issued or remain in force unless such person shall have furnished a bond or other security approved by the Commission, in such form and amount as will insure financial responsibility and the supplying of authorized transportation in accordance with contracts, agreements, or arrangements therefor.

SEC. 215. No certificate or permit shall be issued to a motor carrier or remain in force, unless such carrier complies with such reasonable rules and regulations as the Commissioner shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay, within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer, or other securities or agreements, any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit, or for loss or damage to property of others. The Commission may, in its discretion and under such rules and regulations as it shall prescribe, require any such common carrier to file a surety bond, policies of insurance, qualifications as a self-insurer, or other securities or agreements, in a sum to be determined by the Commission, to be conditioned upon such carrier making compensation to shippers and/or consignees for all property belong[a] to shippers and/or consignees, and coming into the possession of such carrier in connection with its transportation service. Any carrier which may be required by law to compensate a shipper and/or consignee for any loss, damage, or default for which a connecting motor common carrier is legally responsible shall be subrogated to the rights of such shipper and/or consignee under any such bond, policies of insurance, or other securities or agreements, to the extent of the sum so paid.

The cancellation or expiration of a policy of insurance or other form of security for the protection of the public provided for in these rules or the revocation by the commission of its approval of any policy of insurance or other form of security without substitution of other security approved by the commission will under the terms of the foregoing sections of the Motor Carrier Act, 1935, render of no force any certificate, permit, or license in connection with which such security was accepted or approved, and all authority to operate granted by this commission can be lawfully exercised only so long as the security provided for by section 211 (c) and 215 of the Motor Carrier Act, 1935, and by the rules of this commission remains in effect.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 3rd day of August A. D. 1936.

IN THE MATTER OF SECURITY FOR THE PROTECTION OF THE PUBLIC AS PROVIDED IN THE MOTOR CARRIER ACT, 1935, AND OF RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER OR OTHER SECURITIES AND AGREEMENTS BY MOTOR CARRIERS AND BROKERS SUBJECT TO THE MOTOR CARRIER ACT, 1935

It appearing, That by order dated February 20, 1936, the Commission, by Division 5, entered upon an investigation into and concerning security for the protection of the public as provided in the Motor Carrier Act, 1935, and rules and regulations governing the filing and approval of surety bonds, poli-

[a] So in original.

cies of insurance, qualifications as self-insurer, or other securities and agreements by motor carriers and brokers subject to the Motor Carrier Act, 1935:

It further appearing, That a full investigation of the matters and things involved has been had, and that the Commission, by Division 5, on the date hereof, has made and filed a report containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof:

It is ordered, That the following rules and regulations be, and they are hereby, approved and prescribed, and from and after the 15th day of November 1936, shall be observed by motor carriers and brokers subject to the Motor Carrier Act, 1935, as the minimum requirement:

RULE I

No motor carrier subject to the provisions of the Motor Carrier Act, 1935, shall engage in interstate or foreign commerce, and no certificate or permit shall be issued to a motor carrier, or shall remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned to pay, within the amount of such surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit, or for loss or damage to property of others: nor shall any common carrier by motor vehicle subject to the provisions of said Act engage in interstate or foreign commerce, nor shall any certificate be issued to such carrier, nor remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned upon such carrier making compensation to shippers or consignees for all property belonging to shippers or consignees and coming into the possession of such carrier in connection with its transportation service.

RULE II

The minimum amounts referred to in Rule I are hereby prescribed as follows:

A. *Motor Carriers—Bodily Injury Liability—Property Damage Liability*

(1) Kind of equipment	(2) Limit for bodily injuries to or death of one person	(3) Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of $5,000 for bodily injuries to or death of one person)	(4) Limit for loss or damage in any one accident to property or other (excluding cargo)
Passenger equipment (seating capacity):			
7 passengers or less	$5,000	$15,000	$1,000
8 to 12 passengers inclusive	5,000	20,000	1,000
13 to 20 passengers inclusive	5,000	30,000	1,000
21 to 30 passengers inclusive	5,000	40,000	1,000
31 passengers or more	5,000	50,000	1,000
Freight equipment:			
All motor vehicles used in the transportation of property	5,000	10,000	1,000

B. *Motor Common Carriers—Cargo Liability*

Security required to compensate shippers or consignees for loss of or damage to property belonging to shippers or consignees and coming into the possession of motor common carriers in connection with their transportation service, (1) for loss of or damage to property carried on any one motor vehicle—$1,000; (2) for loss of or damage to or aggregate of losses or damages of or to property occurring at any one time and place—$2,000.

RULE III

The following combinations will be regarded as one motor vehicle for purposes of these rules, (1) a tractor and trailer or semi-trailer when the tractor is engaged solely in drawing the trailer or semi-trailer, and (2) a truck and trailer when both together bear a single load.

RULE IV

Brokers

No person shall engage in the business of a broker as defined in the Motor Carrier Act, 1935, and no brokerage license shall be issued to any such person nor remain in force unless and until such person shall have furnished a bond or other security approved by the Commission, in an amount of not less than $5,000, and in such form as will insure the financial responsibility of such broker and the supplying of authorized transportation in accordance with the contracts, agreements, or arrangements therefor.

RULE V

Qualifications as a Self-Insurer and Other Securities or Agreements

The Commission will give consideration to and will approve the application of a motor carrier to qualify as a self-insurer if such carrier furnishes a true and accurate statement of its financial condition and other evidence which will establish to the satisfaction of the Commission the ability of such motor carrier to satisfy its obligations for bodily injury liability, property damage liability, or cargo liability without affecting the stability or permanency of the business of such motor carrier.

The Commission will also consider applications for approval of other securities or agreements and will approve any such applications if satisfied that the security or agreement offered will afford the security for the protection of the public contemplated by Sections 211 (c) and 215 of the Motor Carrier Act, 1935.

RULE VI

Bonds and Insurance Policies

Each certificate or policy of insurance or surety bond with corporate or individual sureties filed with the Commission for approval must be for not less than the full limits of liability required under these rules and regulations. In each case in which the surety on any such bond is a surety company, such company must be one approved by the United States Treasury Department under the laws of the United States and the applicable rules and regulations governing bonding companies.

RULE VII

Forms and Procedure

Endorsements for policies of insurance, surety bonds, certificates of insurance and applications to qualify as a self-insurer, or for approval of other securities or agreements, and notices of cancellation all must be in the forms prescribed and approved by the Commission.

Certificates of insurance, surety bonds, and notices of cancellation must be filed with the Commission in triplicate. Upon receipt and approval by the Commission one copy will be stamped "received and approved" and returned to the home office of the insurance or surety company.

Insurance policies and surety bonds shall be written in the full and correct name of the individual, partnership, corporation or other person to whom the certificate, permit, or license is or is to be issued. In case of a partnership all partners shall be named.

Surety bonds, policies of insurance, endorsements, or certificates of insurance and other securities and agreements shall not be cancelled or withdrawn until after thirty (30) days' notice in writing by the insurance company, surety or

sureties, motor carrier, broker, or other party thereto as the case may be, has first been given to the Commission at its office in Washington, D. C., which period of thirty (30) days shall commence to run from the date such notice is actually received at the office of the Commission.

Motor carriers and brokers subject to the jurisdiction of this Commission are hereby required to maintain in effect at all times the security for the protection of the public contemplated in Sections 211 (c) and 215, Motor Carrier Act, 1935, and prescribed by these rules.

RULE VIII

Policies of insurance as amended by the endorsements provided by these rules covering bodily injury liability, property damage liability, and cargo liability must be written by insurance companies legally authorized to transact business in each State in which their policies cover the operations of the insured motor carrier, except that more than one policy of insurance may be used in cases where, in the judgment of the Commission, the territorial operations of such carriers warrant separate coverage on separate portions of their routes or territories.

RULE IX

The Commission may revoke its approval of any surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualification as a self-insurer, or other securities or agreements if it finds at any time that such security no longer complies with these rules.

By the Commission, Division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1779—Filed, August 18, 1936; 12:32 p. m.]

Friday, August 21, 1936 *No. 115*

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 7164, OF AUGUST 29, 1935, PRESCRIBING RULES AND REGULATIONS RELATING TO STUDENT-AID PROJECTS AND TO EMPLOYMENT OF YOUTH ON OTHER PROJECTS UNDER THE EMERGENCY RELIEF APPROPRIATION ACT OF 1935

Amendment to Regulation No. 7

By virtue of and pursuant to the authority vested in me by the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and the Emergency Relief Appropriation Act of 1936, approved June 22, 1936, (Pub. No. 739, 74th Cong., 2nd Sess.), section 5 of Regulation No. 7, prescribed by Executive Order No. 7164 of August 29, 1935, and made applicable to the said Emergency Relief Appropriation Act of 1936 by Executive Order No. 7396 of June 22, 1936,[1] is hereby amended to read as follows:

5. *Employment of Youth on Projects.* The maximum and minimum hours of work, the conditions of employment and the monthly earnings to be paid young persons eligible for benefits under the National Youth Administration and employed on projects of the National Youth Administration (other than student-aid projects) and on projects of the Works Progress Administration shall be determined by the Works Progress Administration: *Provided, however,* that the monthly earnings applicable to part-time employment of such young persons shall not exceed fifty per centum (50%) of the schedule of monthly earnings as set forth in Executive Order No. 7046, dated May 20, 1935, and amendments thereto.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE
August 18, 1936.

[No. 7433]

[F. R. Doc. 1833—Filed, August 20, 1936; 12:01 p. m.]

[1] 1 F. R. 651.

EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 6123 OF MAY 2, 1933, WITHDRAWING PUBLIC LANDS

Colorado

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Order No. 6123 of May 2, 1933, withdrawing public lands in T. 4 N., R. 78 W. of the sixth principal meridian, Colorado, pending a resurvey, is hereby revoked.

This order shall become effective upon the date of the official filing of the plat of resurvey of said township.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE
August 18, 1936.

[No. 7434]

[F. R. Doc. 1832—Filed, August 20, 1936; 12:01 p. m.]

EXECUTIVE ORDER

ESTABLISHING WINNEMUCCA MIGRATORY BIRD REFUGE[1]

Nevada

By virtue of and pursuant to the authority vested in me as President of the United States and by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the public lands within the following-described area, together with all lands of the United States within the meander line of Winnemucca Lake and east of the eastern boundary of the Pyramid Lake Indian Reservation, be, and they are hereby, withdrawn from settlement, location, sale, or entry and reserved and set apart for the use of the Department of Agriculture, subject to valid existing rights, as a refuge and breeding ground for migratory birds and other wildlife: *Provided,* That upon the termination of any private right to, or appropriation of, any public lands within the exterior limits of the area described in this order, such lands shall become a part of the refuge:

MOUNT DIABLO MERIDIAN

Tps. 24 and 25 N., R. 23 E., all east of the Pyramid Lake Indian Reservation;
T. 27 N., R. 23 E.,
secs. 2, 11, and 14,
secs. 15, 22 and 23, all east of the Pyramid Lake Indian Reservation;
T. 28 N., R. 23 E.,
sec. 12, lots 3 to 6, inclusive, NE¼SW¼, SW¼SW¼, and NW¼SE¼;
sec. 13, all;
sec. 14, lot 1, NE¼SE¼, and SW¼SE¼;
sec. 23, lots 1 to 4, inclusive, and NE¼SW¼;
sec. 26, all;
sec. 35, lots 1, 2, 4, and 5, E½NW¼, and NE¼SW¼.
T. 24 N., R. 24 E.,
sec. 4, W½W½;
secs. 5 and 8;
sec. 9, W½W½;
sec. 16, W½W½;
secs. 17 and 19;
sec. 20, lots 1 and 2, SE¼NW¼, and N½SW¼;
sec. 30, all.
T. 25 N., R. 24 E.,
sec. 5, lots 2 to 6, inclusive, SW¼NE¼, and W½SE¼;
sec. 8, lots 1 to 4, inclusive, W½NE¼, NE¼SW¼, and W½SE¼;
sec. 17, lots 1 to 4, inclusive, NW¼NE¼, S½NE¼, and E½SE¼;
sec. 20, all;
sec. 21, W½W½;
sec. 28, W½W½;
secs. 29 and 32;
sec. 33, W½W½.
T. 26 N., R. 24 E.,
sec. 4, lots 3 and 4;
sec. 5, lots 1 to 4, inclusive;
sec. 7, lot 1;
sec. 8, lots 1 to 4, inclusive; and E½SW¼;
sec. 17, lots 1, 2, and 3, N½NW¼, and SE¼NW¼;
sec. 18, all;
sec. 20, lots 1 to 4, inclusive;

[1] 1 F. R. 1057.